

STAND. COM. REP. NO. 2415

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2798
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 2798 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the Attorney General's ability to prosecute medical assistance recipient fraud.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of the Attorney General.

Your Committee finds that the Attorney General's ability to prosecute medical assistance fraud aids in the recovery of restitution and serves as a deterrent to recipient fraud. Many incidents of fraud are not discovered until after the statute of limitation has expired. This measure strengthens the State's ability to seek restitution, extends the statute of limitations to three years after discovery of the offense but within six years after commission of the offense, and clarifies the authority to prosecute for information submitted electronically.

Your Committee has amended this measure by:

- (1) Specifying that the restitution to be paid applies to convictions under section 346-43.5(a)(1), Hawaii Revised



Statutes, in addition to convictions under section 346-43.5(a)(2), Hawaii Revised Statutes; and

- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2798, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2798, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



Record of Votes
Committee on Human Services
HMS

*Only one measure per Record of Votes